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SUPERIOR COURT OF N.J.
1998 MAY 13 A 3:41

DEPUTY CLERK
SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: SOMERSET COUNTY
DOCKET NO. L-980-97

GAF CORPORATION,

Plaintiff,

v.

HARTFORD ACCIDENT AND
INDEMNITY COMPANY et al.,

Defendants.

Civil Action

PROTECTIVE ORDER

THIS MATTER having been opened to the Court by plaintiff GAF Corporation ("GAF") for an Order protecting from disclosure certain privileged documents; and the Court having considered the papers submitted in support of and in opposition to GAF's application, and the argument of counsel; and for good cause shown;

WHEREAS, GAF is a potentially responsible party ("PRP") at various sites including, but not limited to, the SCP Carlstadt, Novak, Lone Pine and Picillo landfills (the "Sites"), and

WHEREAS, as a PRP at these Sites, GAF is prohibited, under agreements with the other PRPs, from divulging information which has been generated in connection with the defense of these matters,

IT IS on this 12th day of ^{May}~~April~~, 1998,

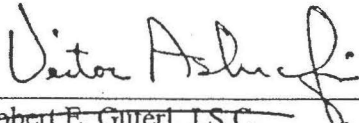
ORDERED that:

- VA
1. This Protective Order shall apply specifically to Confidential PRP Material, ^{otherwise privileged} which includes any information or documents shared by, prepared by, associated with or relating to any PRP, PRP Group, PRP Defense Group or defendants involved in litigation, administrative proceedings, allocation proceedings, clean-up or remediation activities, whether voluntary or otherwise, or any other current or future activity at the Sites. No document shall be deemed Confidential PRP Material if it previously has been made available to the public.
 2. The terms "PRP," "PRP Group" or "PRP Defense Group," as used herein, shall mean any entity or person named or identified by the United States Environmental Protection Agency, any State, any State environmental protection agency, other similar governmental agency or office, or any private party in an administrative proceeding or lawsuit filed in a court in the United States, or any entity or person that is potentially liable for response costs under 42 U.S.C. § 9607(a) in connection with any environmentally-related claims or potential claims arising from or related to the Sites.
 3. GAF may withhold as privileged Confidential PRP Materials.
 4. Notwithstanding any other provision of this Order, the disclosure of Confidential PRP Material in this action shall not be deemed a waiver of any privilege including, but not limited to, the Joint Defense, Attorney-Client and Attorney Work Product Privileges, which may have been or may still be asserted by any PRP, PRP Group, PRP Defense Group and/or their members or defendants in any litigation, administrative proceeding, clean-up or remediation


activity, whether voluntary or otherwise, or any other current or future activity or action, other than this action, arising from or related to the Sites.

5. Nothing contained herein shall preclude any of the parties from seeking other and further relief as the Court may deem appropriate.

IT IS FURTHER ORDERED that this Order shall be served on all counsel within seven (7) days of the date hereof.


Robert E. Guterl, J.S.C.
Victor Ashrafi, J.S.C.

OPPOSED
UNOPPOSED



THE COURT'S FINDINGS OF FACT
AND CONCLUSIONS OF LAW WERE
PLACED ON THE RECORD IN OPEN
COURT ON 5/12/98